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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग III—खण्ड 3

PART III—SECTION 3

लघु प्रशासनों से संबंधित अधिसूचनाएं

Notifications relating to Minor Administrations

GOVERNMENT OF PONDICHERRY
Planning & Development Department
(Medical & Public Health)

Pondicherry, the 12th May 1966

No. 11546/*Dev*/*M*/66—In exercise of the powers conferred by Notification F. No. 5/4-65-GP dated 11th January 1965 of the Ministry of Home Affairs, Government of India, the Lt. Governor, Pondicherry, hereby makes the following rules regulating the method of recruitment to Class II/Technical Posts in the Medical and Public Health Department, Government of Pondicherry, Pondicherry.

1. *Short title.*—These rules may be called the Government of Pondicherry, Medical and Public Health Department Class II (Technical) Recruitment Rules, 1966.

2. *Application.*—These rules shall apply for recruitment to the posts of Deputy Director of Medical Services (Planning) Medical Superintendent, General Hospital, Pondicherry, Medical Superintendent, T.B. Sanatorium, District T.B. Control Officer and Health Officer (Filaria) specified in Col. (1) of the Schedule hereto annexed.

3. *Number of posts, their classification and scales of Pay.*—The number of the said posts, their classification and the scales of pay attached thereto shall be as specified in Col. (2) to (4) of the Schedule.

4. *Methods of recruitment, age limit and other qualifications.*—The methods of recruitment to the said posts, age limit, qualifications and other matters relating thereto shall be as specified in Col. (5) to (13) of the said Schedule.

Provided that the upper age limit specified for direct recruitment may be relaxed in the case of candidates belonging to the Scheduled Castes, Scheduled Tribes and other special categories of persons in accordance with the general orders of the Lt. Governor issued from time to time.

5. Any Medical Graduate appointed to these posts shall, if so required, be liable to serve in any Defence Service or post connected with the Defence of India, for a period of not less than four years including the period spent on training, if any :

Provided that such persons,

(a) Shall not be required to serve as aforesaid after the expiry of ten years from the date of appointment.

(b) Shall not ordinarily be required to serve as aforesaid after attaining the age of forty-five years.

6. *Disqualifications.*—1. No person who has more than one wife living or who, having a spouse living, marries in any case in which such marriage is void by reason of its taking place during the life time of such spouse, shall be eligible for appointment to any of the said posts.

7. No woman whose marriage is void by reasons of the husband having a wife living at the time of such marriage or who has married a person who has a wife living at the time of such marriage, shall be eligible for appointment to any of the said posts.

Provided that the Lt. Governor may, if satisfied that there are special grounds for so ordering, exempt any person from the operation of this rule.

(By Order of the Lt. Governor)

SCHE

RECRUITMENT RULES FOR CLASS II GAZETTED POSTS IN THE

Name of posts	Number of Posts	Classification	Scale of Pay	Whether Selection Post or Non-Selection Post	Age limit for direct recruits	Educational and other qualifications required for direct recruits
1	2	3	4	5	6	7
Medical Supdt. General Hospital. Deputy Director of Medical Services (Planning)	One (1) + One (1)	Class II Gazetted	Rs. 600-40 -800-50-900 (with the right of restricted private practice).	Selection	45 years & below. (Relaxable for Government Servants)	*Essential :* (1) A medical qualification included in the 1st and 2nd Schedule or part II of the 3rd Schedule (other than Licentiate qualifications) to the Indian Medical Council Act, 1956. Holders of educational qualifications included in Part II of the 3rd Schedule should fulfil the conditions stipulated in Sec. 13(3) of the I.M.C. Act, 1956. (2) Post graduate qualifications in general medicine or general surgery *e.g.*, M.D., M.R.C.P., M.S., F.R.C.S., F.A.C.S., or equivalent. (3) Five years standing in the profession with at least 3 years work in a responsible position. (Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified). *Desirable :* (1) Practical experience in administration of a Hospital. (2) A recognised diploma in Public Health
Medical Supdt. T.B. Sanatorium District T.B. Control Officer	One (1) + One (1)	Class II Gazetted	Rs. 600-40 -800-50-900. (with the right of restricted private practice).	Selection	45 years & below. (Relaxable for Government Servants.)	*Essential :* (1) A medical qualification included in the 1st or the 2nd Schedule or part II of the 3rd Schedule (other than Licentiate qualifications) to the I.M.C. Act, 1956. Holders of educational qualifications included in Part II of the 3rd Schedule should fulfil the conditions stipulated in Sec. 13(3) of the I.M.C., Act, 1956. (2) Post graduate qualifications in Tuberculosis *e.g.*, M.D., M.R.C.P., M.S., F.R.C.S., T.D.D., D.T.D., (3) Five years standing in the profession with at least 3 years work connected with Tuberculosis. (Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified). *Desirable :* (1) Practical experience in administration of a Hospital. (2) A recognised Diploma in Public Health
Health Officer (Filaria)	Two (2)	Class II Gazetted	Rs. 350-25-800.	Selection	30 years & below. (Relaxable for Government Servants.)	*Essential :* (1) A medical qualification included in the 1st or 2nd Schedule or Part II of the 3rd Schedule (Other than Licenciate qualifications) to the I.M.C. Act, 1956. Persons possessing qualifications included in Part II of the 3rd schedule should also fulfil the conditions stipulated in Sec. 13(3) of the Act. (2) Training in Filariology. (3) About 2 years standing in the profession with experience in Filaria research and/or control eradication of Filaria. (Qualifications relaxable at Commission's discretion in case of candidates otherwise well qualified).

DULE

MEDICAL AND PUBLIC HEALTH DEPARTMENT, PONDICHERRY

Whether age and educational qualifications prescribed for the direct recuits will apply in the case of promotees	Period of probation if any	Method of rectt. whether by direct recruitment or by promotion or by deputation/ transfer & percentage of the vacancies to be filled by various methods	In case of rectt by promotion /deputation/transfer Grades from which promotion/deputation/transfer to be made	If a DPC exists what is its composition	Circumstances in which U.P.S.C is to be consulted in making recruitment
8	9	10	11	12	13
Age—No. Educational qualifications—Promotees must have E.Q. (i) or Diploma "Ecole de Medicine" Pondicherry or M.D. from any University in France.	Two years	By promotion failing which by transfer on deputation and failing both by direct recruitment.	*Promotion :* (1) Medicins Locaux (2) Assistant Surgeons. With 5 years Service in the respective grades. *Transefer on deputation.* Suitable Officers holding analogous posts under Central/State Health Services (Period of Deputation ordinarily not exceeding 3 years.)	Class II Departmental Promotion Committee.	As required under the rules.
Age—No Educational qualifications—Promotees must have E.Q.(1) or a Diploma "Ecole de Medicine" Pondicherry or M.D. from any Universilty in France.	Two years	By promotion failing which by transfer on deputation and failing both by direct recruitment.	*Promotion :* (1) Medicins Locaux (2) Asst., Surgeons With 5 years Service in the respective grades. *Transfer on deputation.* Suitable Officers holding analogous posts under Central/ State Health Services (Period of Deputation ordinarily not exceeding 3 years).	Class II Departmental Promotion Committee.	As required under rules.
Age—No. Educational Qualifications Promotees must have E.Q.(i) or Diploma "Ecole de Medicine" Pondicherry or M.D. from any University in France.	Two years	Promotion failing which by direct recruitment.	*Promotion :* (1) Asst. Surgeons (2) Medicins Locaux With 5 years Service in the grade.	Class II Departmental Promotion Committee.	As required under the rules

The 17th May 1966

No. 4398/*Dev/M/66*—Dr. (Mrs.) R. Vijaya Kumari, M.B.B.S., has been temporarily appointed as Assistant Surgeon in the General Hospital, Pondicherry, with effect from the forenoon of the 12th March 1966.

No. 4398/*Dev/M/66*—Dr. N. Rama Rao, M.B.B.S., has been temporarily appointed as Assistant Surgeon in the General Hospital, Pondicherry, with effect from the forenoon of the 26th March 1966.

No. 4398/*Dev/M/66*—Dr. M. A. Dumont, M.B.B.S., has been temporarily appointed as Assistant Surgeon in the General Hospital, Pondicherry, with effect from the forenoon of the 1st April 1966.

The 21st May 1966

No. 3522/*Dev/M/66*—Shri P. Balabascaran has been temporarily appointed as Lay Secretary (Grade II) in the General Hospital, Pondicherry with effect from the afternoon of the 18th April 1966, until further orders, *vice* Shri S. Sivamani who has been relieved of his duty with effect from that date.

No. 27498/*Dev/M/65*—Dr. N. Selvaradja, Medical Superintendent, T.B. Hospital, Gorimedu has been temporarily appointed as Deputy Director of Medical Services (E.S.I.) in the Office of the Director of Medical Services, Pondicherry with effect from the forenoon of 16th March 1966, until further orders.

(By order of the Lt. Governor)
FRANCOIS DE CONDAPPA
Under Secretary to Govt.

ADMINISTRATION OF DADRA AND NAGAR HAVELI

ORDER

Silvassa, the 16th April 1966

No. ADM/SUP/937.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955), read with the notification of the Government of India in the Ministry of Food and Agriculture (Deptt. of Food) published under G. S. R. 1182, dated the 17th August 1965, in the Gazette of India, Part II, Section 3, sub-section (I), dated 17th August 1965, the Administrator, Dadra and Nagar Haveli is hereby pleased to make the following order namely:—

1. *Short title extent and commencement.*

(1) This order may be called the Dadra and Nagar Haveli Foodgrains Dealers Licensing Order, 1966.

(2) It extends to the whole of the Union Territory of Dadra and Nagar Haveli (hereinafter referred to as the Territory).

(3) It shall come into force immediately.

2. *Definitions* : In this order, unless the context otherwise requires :—

(a) "dealer" means any person who whether for commission, remuneration or otherwise, carries on the business of purchase, sale or storage for sale of any foodgrain in quantity of five quintals or more at any one time, or in quantity of ten quintals or more of the all foodgrains taken together, but does not include a person who :

(i) stores any foodgrains product by him by personal cultivation; and

(ii) does not engage in the business of purchase or sale of foodgrains;

(b) "Foodgrains" means any one or more of the foodgrains specified in Schedule I to this order including products of such foodgrains other than husk and bran;

(c) "form" means a form set forth in schedule II to this order;

(d) "Licensing authority" means the Mamlatdar or the Purchase & Supply Officer or any other officer appointed by the Collector to exercise the powers and perform the duties of the licensing authority under this order;

(e) "retailer" means a dealer who sells foodgrains to a person other than a dealer;

(f) "wholesaler" means a dealer who is not a retailer.

(g) "Collector" means the Collector of Dadra and Nagar Haveli;

(h) "Mamlatdar" means the Mamlatdar of Dadra & Nagar Haveli;

(i) "Purchase & Supply Officer", means the purchase and Supply Officer of Dadra and Nagar Haveli.

3. *Licensing of dealers* :—

(1) No person shall carry on business as a dealer except under and in accordance with the terms and conditions of a licence issued in this behalf by the licensing authority.

(2) For the purpose of this clause, any person who stores any foodgrain in quantity of five quintals or more of any one of the foodgrains or ten quintals or more of all the foodgrains taken together, at any one time shall, unless the contrary is proved, be deemed to be a dealer.

(4) *Issue of Licence* :—

(1) Every application for the issue or re-issue of a licence or renewal thereof shall be made to the licensing authority in form 'A'.

(2) Every license issued re-issued or renewed under this order shall be in form 'B'.

5. *Period of Licence and fees chargeable* :—

(1) Every licence granted under this order shall be valid for a period ending on the 31st December of the year in which it is issued and may be renewed for a period of one year at a time before the last day of February next following.

(2) The holder of a licence may obtain from the licensing authority a duplicate of the licence issued to him but which is lost, destroyed or defaced;

(3) The fee specified below shall be chargeable in respect of each licence, namely :—

For issue of a Licence		Rs. 5/-
For renewal of Licence		Rs. 2/-
For issue of a duplicate		Rs. 5/-

(4) A separate licence shall be obtained by a dealer for each place of business.

6. *Application for licence and Deposit of Security* :—Every person shall apply for a licence within thirty days of the commencement of this order and every person applying for a licence under this Order after such commencement shall, before such licence is issued to him, deposit with the licensing authority:—

(1) A sum of Rs. 500/- if he is a wholesaler; and

(2) A sum of Rs. 100/- if he is a retailer by way of cash security for the due performance of the conditions subject to which the licence is granted to him.

7. *Power to refuse licence* :—The licensing authority may, after giving the dealer concerned an opportunity of stating his case and for reasons to be recorded in writing refuse to grant or renew a licence.

8. *Contravention of Conditions of Licence* :—No holder of a licence issued under this order, or his agent or servant or any other person acting on his behalf shall contravene any of the terms or conditions of the licence and if any such holder or agent or servant or any other person acting on his behalf contravenes any of the said terms or conditions, then, without prejudice to any other action that may be taken against him, his licence may be cancelled or suspended by order in writing of the licensing authority.

Provided that no order shall be made under this clause unless the licensee has been given a reasonable opportunity of stating his case against the proposed cancellation or suspension.

9. *Cancellation of licence on contravention of an order under The Essential Commodities Act, 1955, relating to foodstuffs* :—Notwithstanding any thing contained in clause 8, where a licensee has been convicted by a court of law of contravention of any order made under section 3 of the Essential Commodities Act, 1955 (10 of 1955) relating to foodstuffs, including edible oil seeds and oils, the licensing authority may, by order in writing cancel his licence.

Provided that where such conviction is set aside in appeal or revision, the licensing authority may, on application in form A by the person whose licence has been cancelled, re-issue the licence to such person and no fee shall be chargeable in respect of the re-issue of such licence.

10. *Forfeiture of security deposit* :—

(1) Without prejudice to the provisions of clause 8, if the licensing authority is satisfied that the licensee has contravened any of the conditions of the licence and that a forfeiture of the security deposit is called for, it may, after giving the licensee a reasonable opportunity for stating his case against the forfeiture, by order forfeit the whole or any part of the security deposited by him and shall send a copy of the order to the licensee.

(2) The licensee shall, if the amount of security at any time falls short of the amount specified in clause 6 forthwith deposit further security to make up that amount on being required by the licensing authority to do so, and in the event of his refusal or failure to do so within the time specified or such further time as the licensing authority may allow, his licence shall stand cancelled.

(3) Upon due compliance by the licensee with all obligations under the licence, the amount of security or such part thereof, which is not forfeited as aforesaid, shall be returned to the licensee after the termination of the licence.

11. *Appeal* :—

(1) Any person aggrieved by any order of the licensing authority refusing to issue, re-issue or renew a licence or cancelling or suspending a licence or forfeiting the security deposited by the licensee under the provisions of this Order may appeal to the Collector within 30 days after the date of the receipt by him of such order.

Provided that the Collector may admit an appeal after the expiry of the said period of 30 days if the appellant satisfies him that he had sufficient cause for not preferring the appeal within such period.

(2) No order shall be made under this clause unless the aggrieved person has been given a reasonable opportunity of stating his case.

(3) Pending the disposal of any appeal, the Collector may direct that the order refusing to renew a licence or the order cancelling or suspending a licence shall not take effect until the appeal is disposed of.

12. *Powers of entry, search, seizure etc.* :—

(1) The licensing authority or any other Officer authorised by the Collector in this behalf may with such assistance, if any, as he thinks fit,

(a) require the owner, occupier or any other person in charge of any place, premises, vehicle, or vessel in which he has reason to believe that any contravention of the provision of this Order or the conditions of any licence issued thereunder has been, is being, or is about to be committed, to produce any book, accounts, or other documents showing transactions relating to such contravention;

(b) enter, inspect, or break open and search any place or premises vehicle or vessel in which he has reason to believe that any contravention of the provisions of this order or of the condition of any licence issued thereunder, has been, is being or is about to be committed;

(c) take or cause to be taken extracts from or copies of, any documents showing transactions relating to such contravention which are produced before him, or search for and seize or cause to be seized any book, accounts or other documents which may be considered necessary for an enquiry into the alleged contravention or any of the provisions of this order, or the conditions of any licence granted thereunder;

(d) Search, seize and remove stock of foodgrains and the animals, vehicles, vessels or other conveyances used in carrying the said foodgrains in contravention of the provisions of this order, or of the conditions of the licence issued thereunder and thereafter take or authorise the taking of all measures necessary for securing the production of stocks of foodgrains and the animals, vehicles, vessels or other conveyances so seized, in a court and for their safe custody pending such production.

(2) The provisions of section 102 and 103 of the code of the Criminal Procedure 1898 (V of 1898), relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

K. R. DAMLE
Administrator
Dadra and Nagar Haveli,
Silvassa

SCHEDULE—I

[*See* clause 2(b)]

1. Wheat.
2. Paddy (Rice in husk).
3. Rice (Husked).
4. Jowar.
5. Bajra.
6. Maize.
7. Minor Millets *i.e.* Kodra, Nagli, Barto & Banti.
8. Gram.
9. Tur.
10. Moong.

SCHEDULE—II

FORM A

[*See* clause 4(1)]

THE DADRA & NAGAR HAVELI FOODGRAINS DEALERS LICENSING ORDER 1966

Application for grant/renewal of licence.

1. Applicant's Name.
2. Applicant's Profession.
3. Applicant's residence.
4. Situation of applicant's place of business with particulars as to number of house, mohalla, town, or village, police station and district.
5. How long has the applicant been trading in foodgrains
6. Did the applicant hold a foodgrains licence on any previous occasion? If so, give particulars including details of its suspension or cancellation, if any.
7. Quantities of foodgrains handled annually during the last three year.
8. Quantity of foodgrains likely to be handled during the current year.
9. Income tax paid in the two years preceding the year of application (to be indicated separately).
 (1)
 (2)
10. (a) Quantity of foodgrains in the possession of the applicant on the date of application (separate figures are to be given for each foodgrain).
 (b) Complete address of places where foodgrains are/or proposed to be stored.
11. Whether the licence is required as a wholesaler or retailer or both.

I declare that the quantities of foodgrains specified above are in my possession this day and are held at the places noted above.

I have carefully read the conditions of licence given in form 'B' appended to the Dadra and Nagar Haveli Foodgrains Dealers Licensing Order, 1966, and I agree to abide by them.

(a) I have not previously applied for such licence for foodgrains.

(b) I applied for such licence for.....on..... and was/was not granted a licence.....

(c) I hereby apply for renewal of licence to..... Dated..... Issued to me on.....

Place.....

Date.....

(d) I hereby apply for the re-issue of my licence....

(Signature of applicant)

Strike off the clauses not applicable.

FORM B

THE DADRA AND NAGAR HAVELI FOODGRAINS DEALERS LICENSING ORDER, 1966, LICENCE FOR PURCHASE, SALE, STORAGE FOR SALE OF FOODGRAINS.

1. Subject to the provision of the Dadra and Nagar Haveli Foodgrains Dealers Licensing Order, 1966, and to the forms and conditions of this licence Shri..... is/are hereby authorised to purchase, sell, or store for sale, the undermentioned, foodgrains as a wholesaler/retailer.

.....

.....

.....

(a) The licensee shall carry on the aforesaid business at the following place :—

(b) Foodgrains in which the aforesaid business is to be carried on shall not be stored at any place other than any of the godowns mentioned below :—

NOTE :—If the licensee intends storing his foodgrains in godowns other than these specified above, he shall give intimation of the actual occupation of such with 48 hours of the actual occupation thereof for making requisite changes by the licensing authority.

3. (i) The licensee shall, except when specially exempted by the Collector or by the licensing authority in this behalf, maintain a register of daily accounts for each of the foodgrains mentioned in paragraph I, showing correctly—

(a) The opening stock on each day;

(b) the quantities received on each day showing the place from where and the source from which received;

(c) the quantities delivered or otherwise removed on each day showing the places of destination;

(d) the closing stock on each day.

(ii) The licensee shall complete his accounts for each day on the day to which they relate, unless prevented by reasonable cause, the burden of proving which shall be upon him.

(iii) A licensee who is a producer himself shall separately show the stock of his own produce in the daily account, if such stocks are stored in his business premises.

4. (i) The licensee, if he is a wholesaler, shall except when specially exempted by the Collector or by an Officer authorised by the Collector in this behalf, submit to the licensing authority concerned a true return, in form 'C' of the stocks, receipts and deliveries of each of the foodgrains every fortnight (1st to 15th and 16th to end of the month) so as to reach him within five days after the close of the fortnight.

(ii) The licensee, if he is a retailer, shall, except when specially exempted by the Collector or by an Officer authorised by the Collector in this behalf, submit to the licensing authority concerned a true return in Form D of the stock receipts and deliveries of each of the foodgrains every month so as to reach him within five days of the close of the month.

5. The licensee shall not contravene the provisions of the Dadra & Nagar Haveli Foodgrains Dealers Licensing Order, 1966 or any law relating to foodstuffs issued from time to time.

6. The licensee shall not contravene the provisions of any law relating to foodstuffs for the time being in force.

7. The licensee shall not :—

(i) enter into any transaction involving purchase sale or storage for sale of foodgrains in a speculative manner prejudicial to the maintenance and easy availability of supplies of foodgrains in the market;

(ii) withhold from sale supplies of foodgrains ordinarily kept for sales or

(iii) charge, in respect of sales of foodgrains made by him, a margin of profit in excess of the rate prevailing in the market at the time of sale or at a rate in excess of any maximum rate of margin fixed for wholesale transaction in foodgrains by a representative body of foodgrain dealers for the locality concerned which ever is less.

8. The licensee shall exhibit at the entrance or some other prominent place of his business premises, the price list of foodgrains held by him for sale. Such price list shall be legibly written in the principal language of the locality concerned. It should indicate separately the prices of different varieties of foograins.

9. The licensee if he is a wholesaler shall sell foodgrains only to retailers (including himself if he holds a retailer's licence also) who are registered with him and to Bulk consumers who purchase in bulk a bag or more and in accordance with such directions as the licensing authority or any officer authorised by that authority in this behalf, may given from time to time. The register of retailers shall be in form 'E'.

The wholesaler shall keep a separate register of transactions with the bulk consumers and mention therein their correct names addresses and other details to prove their identity.

10. The licensee shall, except when specially exempted by the Collector or by the licensing authority in this behalf, issue to every customer a correct receipt or invoice, as the case may be giving his own name, address and licence number the name, addresses and licence number (if any) of the customer, the date of transaction, the quantity sold, the price per quintal and the total amount charged and shall keep a duplicate of the same to be available for inspection on demand by the licensing authority or any officer authorised by it in this behalf.

11. The licensee shall give all facilities at all reasonable times to the licensing authority or any officer authorised by it or the Collector for the inspection of his stocks and accounts at any shop, godown or other place used by him for the storage, sale or purchase of foodgrains and for the taking of sample of foodgrains for examination.

12. The licensee shall comply with any direction that may be given to him by the Collector in regard to purchase, sale and storage for sale of foodgrains and in regard to the language in which the register, returns, price list, receipts or invoice mentioned in paragraphs 3, 4, 8 or 9 shall be written and the authentication and maintenance of the register mentioned in paragraph 8 and 9.

13. The licensee shall in a case where he functions in a regulated market abide by such instructions relating to his business as are given by the marketing authority having jurisdiction, and in any other case by such body as may be recognised by the Collector in this behalf.

14. The licensee shall not sell or offer to sell in any locality any foodgrain at a price higher than that fixed for sale of that foodgrain in such locality by the Central Government or the Collector in pursuance of any power conferred by law.

15. (i) Notwithstanding any thing contained in paragraph 9, a licensee holding a wholesalers' licence when he sells foodgrains.

(a) which were purchased by him as processor, or their being processed; or

(aa) which were purchased by him in auction or by negotiation in a regulated market; or

(b) which are imported by him from outside the Union Territory; or

(c) which were purchased by him in his capacity as a broker, commission agent or any other agent having authority to sell any foodgrains on behalf of his principal;

Shall not effect more than one transaction of sale in respect of the same stock of foodgrains with more than one wholesaler.

(ii) Where the licensee being the holder of a wholesalers' licence, has purchased foodgrains from a wholesaler in accordance with clause (1) he shall not sell the foodgrains so purchased except in accordance with paragraph 9.

Provided that the licensing authority may permit such a licensee to effect one more transaction of sale in respect of the same stock of foodgrains with another wholesaler if it is satisfied that it is necessary to so permit him in order to enable him to liquidate his business or reduce his losses or because he is unable to sell to the parties in the market for reasons beyond his control.

16. This license shall be attached to any application for renewal.

17. This licence shall be valid up to.....

.....

Place.....

Date.....

(Licensing Authority).

FORM—C

For use by a Dealer

(*See* paragraph 4 of Form DO)

Return of stocks, receipts and sales of foodgrains for the fortnight ending.....196.....

Name.....

No. of licence.....

Address.....

Particulars of godowns where stock held.....

Variety of the foodgrains.

Particulars.	Quantity in quintals.	Remarks if any.
1. Stock at the beginning of the fortnight.		
(a) Actually with the stockist.		
(b) pledged with any person or institution such as a bank or co-operative society.		
Total.....		
2. (a) Quantity purchased during the fortnight and the source of supply.		
(b) Approximate average price : paid.		
Total quantity purchased :—		
3. Quantity sold :—		
(a) Quantity sold and delivered/removed during the fortnight.		
(b) Quantity sold but not yet delivered.		
(c) Approximate average realised/charged.		
Total sold :—		
4. Stock at the end of the fortnight.		
(a) actually with the stockist.		
(i) unsold.		
(ii) sold but awaiting delivery.		
(b) pledged with any person or : institution such as a bank or a co-operative society.		
Total.....		

5. Details of approximate average margin in respect of stocks of each of the foodgrains sold during the quarter ending.....

(i) *Rice*

(a) Handling.
(b) Transport.
(c)
(d)
(e) Net profit.

(ii) *Wheat*

(a) Handling.
(b) Transport.
(c)
(d) ————————
(e) Net profit.

NOTE :—(1) Information in respect of item 2(b), 3(c) and 5 shall be furnished by the licensee other than roller flour mills for each of the quarters ending 31st March, 30th June, 30th September and 31st December of every year. This information shall be supplied along with the return for the second fortnight of the month following the end of the quarter.

NOTE :—(2) A licence may show in his return against "Source of supply" only the market or market or markets and the quantity purchased from each such market but need not give details of the names of each dealer and the quantities purchased from each, unless in any single transaction he has purchased a quantity of 200 quintals or more.

NOTE :—(3) The quantity sold to other licenced wholesalers, retailers and bulk consumers should be shown separately.

1. *Licensing Authority.*

Place.....

Date.....

Signature

Licence No.....

FORM—D

For use by a dealer holding a retailer's licence.

[*See* clause (ii) of paragraph 4 in Form B]

Return of stocks, receipts and sale of foodgrains for the month 196 .

Name.....

No. of licence.....

Address.....

Particulars of godowns where stock held :

Variety of foodgrains.

(1) Opening stock.
(2) Quantity purchased during the month.
(3) Source of supply.
(4) Quantity sold during the month.
(5) Closing Stock at the end of the month.

Date.....

Place.....

Signature

Licence No.....

To

The Licensing Authority.

FORM—E

(*See* paragraph 9 of Form B)

REGISTER OF THE RETAILERS

1. Name of the licensee.
2. Address.
3. Licence numer.

Serial number of registration, Name and Address of the retailers.

COLLECTOR,
Dadra and Nagar Haveli,
Silvassa

GOVT. OF GOA, DAMAN AND DIU

Finance Department

Panjim, the 10th May 1966

Goa, Daman and Diu Court Fee Stamps Supply and Sale Rules, 1966

No. FD/F.III/2-44/3457/66—In exercise of the powers conferred by section 34 of the Court Fees Act, 1870 as extended to the Union Territory of Goa, Daman and Diu, the Lieutenant Governor of Goa, Daman and Diu hereby makes the following rules for regulating the supply and sale of court fee stamps, for determining the persons by whom such sale is to be conducted and for prescribing the duties and remuneration of such persons.

1. These rules may be called the Goa, Daman and Diu Court Fee Stamps Supply and Sale Rules, 1966 and shall come into force on 1st June 1966.

2. In these rules, unless there is anything repugnant in the subject or context:—

(1) "Schedule" means a schedule appended to these rules.

(2) "Vendor" means a stamp vendor appointed under these rules.

(3) "Government" means Government of the Union Territory of Goa, Daman and Diu.

(4) "Collector" means Collector appointed under the Indian Stamp Act, 1899.

3. For the purpose of these rules stamps are divided into :

(1) Impressed stamps,

(2) Adhesive stamps.

Stamps of class (1) and (2) shall be sold to the public by *ex-officio* or licensed vendors in the manner hereinafter prescribed.

4. (1) "The Government" may appoint certain officers to be *ex-officio* vendors.

(2) *Ex-officio* vendors shall sell such stamps as may be directed.

(3) The treasurer of each treasury and sub-treasury shall be an *ex-officio* vendor.

5. (1) The Collector or any other officer empowered by the Government in this behalf may appoint, on application, certain persons to be licensed vendors.

(2) Licensed vendors holding licenses for sale of stamps shall sell stamps between 10 a.m. and 5.30 p.m. on week days :

Provided that the Collector may vary the above hours of sale in any particular case :

Provided further, that licensed vendors may not sell stamps on public holidays.

6. (1) *Ex-officio* vendors shall not be required, except in the localities where there are no licensed vendors, to sell Court fee stamps of lower value than 250 rupees each.

(2) No licensed vendor shall sell any impressed Court fees stamps of the value of Rs. 250,00, or upwards, except under a licence granted to him in this behalf with the previous sanction of Government.

7. Every licence shall be revocable at any time by Government or by the authority granting it. Every licence shall specify the name of the licensee, the description of stamps which may be sold under the licence and the place of vend and it shall be signed by the authority granting it. The licence shall be in the form in Schedule A.

8. (1) All licensed vendors shall execute a security bond in the form in Schedule B.

(2) The amount of the security shall be fixed in each case by the Collector or other authority granting the licence but as stamps will ordinarily be supplied to the licensees only on payment of ready money, it shall not exceed five hundred rupees.

9. (1) Court fee stamps shall be sold by *ex-officio* vendors to the public for cash.

(2) Licensed vendors will be required to pay cash for Court Fee stamps purchased by them.

(3) The licensed vendors would obtain their supply of stamps from the treasuries and sub-treasuries of respective Taluka.

10. (1) The rate of discount for licensed vendors shall be 2½ per cent, but in the places where stamps are sold by *ex-officio* vendors such rate shall be only 2 per cent.

(2) Licensed vendor shall not be allowed any discount on the purchase of any stamp exceeding in value of Rs. 250 each.

11. Every licensed vendor shall have at all times pasted in a conspicous position outside his place of vendor a signboard bearing the name of the vendor with the words "Licensed Vendor of Court fee stamp" in English, Marathi and Konkani in case of Goa and in English and Gujarati in case of Daman and Diu. He shall have at the place of vend Acts of the Legislative and the schedules referring to the stamps sold by him, together with these rules.

12. (1) In case of Court fee adhesive stamps every *ex-officio* or licensed vendor shall write, with his own hand, in the blank space provided for in the body of the stamp or on the stamp itself, the name of the purchaser, the date of sale and his signature.

(2) In the case of Court fee impressed stamps, every *ex-officio* or licensed vendor shall write, on the back of every such stamp which he sells, the date of sale, the name of the purchaser, his father's name and the value of stamp in full words and his own ordinary signature.

(3) He shall at the same time make corresponding entries in respect of Court fee adhesive and impressed stamp in a register to be kept by him in the form prescribed in the rule 18. No such vendor shall knowingly make a false endorsement in the stamps sold or a false entry in his register.

13. Every licensed vendor or Court-fee stamps shall, without delay, deliver any stamps which he has in his possession for sale on demand by any person tendering the price thereof.

14. No *ex-officio* or licensed vendor shall sell any stamps the use of which has been ordered by a competent authority to be discontinued. On returning such stamps to the depot within six months from the date of such order of discontinuance he shall be entitled to receive back the value thereof, less any discount which may have been allowed.

15. Every vendor shall keep and render such accounts as may be prescribed by Government and shall allow the Collector or any officer duly authorised by the Collector or by Government at any time to inspect such accounts and the register which he is required to keep under rule 12 and to examine the stock of stamps in his possession.

16. (1) Every vendor :—

(a) shall on demand made at any time by the Collector or other officer duly authorised by the Collector or Government, and, may :—

(i) on application for leave to do so, or

(ii) on resigning his licence,

deliver up all stamps remaining in his possession.

(2) Payment of the value of stamps which have been paid for by a vendor and delivered up shall be made subject to deductions as follows :—

(a) A deduction of five paise in the rupee or a fraction of a rupee of the full value of all stamps delivered up in the following circumstances.

(i) On resignation by the vendor of his license;

(ii) On revocation of the licence for any fault on the part of the licenced vendor;

(iii) On application by the licensed vendor for leave to return any stamps in his possession.

(b) A deduction only of the discount, if any, allowed on purchase by the vendor on stamps delivered up in the following circumstances :—

(i) On the expiration of the licence;

(ii) On the revocation of the licence for any cause other than a fault on the part of the licensee;

(iii) On the death of the licensed stamp vendor;

(iv) On the recall of the stamps by the Government.

Provided that the application for refund of the value of stamps delivered up under this rule shall ordinarily be made within six months of the date of the resignation, or death of the licensed vendor or the revocation or expiration of the licence but in special cases, the Collector may accept an application made within one year of such date.

17. A licensed vendor shall be permitted to exchange any stamps which are in the opinion of the Collector or other officer duly authorised by Government in this behalf fit for use but for which there is no immediate demand, for other stamps of a like aggregate value.

18. The register required to be kept under rule 12 shall be in the form in Schedule C.

19. An *ex-officio* vendor of Court-fee stamps may be required to give security for the proper performance of his duties if it appears necessary to the head of the office in which the vend of stamps is to be conducted. The terms of the bond can be specially framed to meet the requirements of the case.

Transitional provisions

20. (1) When any person is possessed of a stamp or stamps in use immediately before the commencement of these Rules and such stamp or stamps has or have not been spoiled, the Collector shall repay to such person the value of such stamp or stamps in money, upon such person delivering up, within 6 months from the commencement of these Rules, such stamp or stamps to the Collector.

(2) In the case referred to in sub-rule 1, the stamp or stamps in use immediately before the commencement of these Rules may be ex-changed for a stamp or stamps in use of corresponding value, within the time limit prescribed in the same sub-rule.

SCHEDULE A

(*See* Rule 7)

No.

To (DATE)

LICENCE

You are hereby authorised to sell Court-fee stamps of the following descriptions ————————————

(here insert description of stamps)

at ————————————

(here insert the name of the house and the name of ————————————

the street, or court, or district, or locality, and the name ————————————

of the Collectorate wherein the stamps are to be sold), according to rules made under section 34 of The Court Fees Act, 1870.

(Signature of the Officer granting licence)

NOTE— This licence is revocable at any time by Government or by the officer granting it.

SCHEDULE B

[*See* Rule 8(1)]

Know all men by these presents that we A.B., residents of———— and C.D., residents of————, and E.F., residents of————are jointly and severally held and firmly bound unto the President of India (hereinafter referred to as 'the Government') in the sum of Rs. ———— of good and lawful money current in India to be paid to the Government or his certain attorney, agents, successors or assigns, for which payment well and truly to be made we jointly and severally bind ourselves and each of us, and our respective heirs, executors, administrators, and representatives, by these presents. Sealed with our respective seals.

Dated day of of the year

Whereas according to the provisions of the rules in this behalf framed under section 34 of the Court Fee Act, 1870, the above bounden A.B. has been duly appointed to vend at————in the————certain stamps on the part of Government, and whereas the above bounden C.D. and E.F. have agreed to join with the said A.B. in the above written bond or obligation, subject to the conditions hereunder written as the surety or sureties of the said A.B. for his strict observance, for and during all the time that he the said A.B. has been or shall continue to by such vendor of stamps, of the duties of his said office and of all and every rules authorised by or referred to in the said Act to be observed by all vendors of stamps according to the true intent and meaning of the said rules and every of them; and also for his the said A.B.'s strict observance, for and during all the time that he shall continue to be such vendor of stamps of such future acts, with such penalty, and after such form as may be required by the Collector. Now the condition of the above written bond or obligation in such, that if the above bounden A.B. has, for and during all the time that he the said A.B. has been such vendor of stamps as aforesaid, well, truly, faithfully and diligently done, executed and performed and do and shall, for and during all the time that he the said A.B. shall continue vendor of stamps, well, truly, faithfully and diligently do, execute and perform all the and every duties belonging to the said office of vendor of stamps, and has faithfully, justly and exactly observed performed, fulfilled and kept, and shall faithfully, justly and exactly observe, perform, fulfil, and keep all and every rules mentioned or referred to in the said Act to be observed by all vendors of stamps according to the true intent and meaning of the said rules, and every of them; and also if the said A.B. shall well and truly observe, perform, fulfil and keep such future acts, with such penalty and after such form as may be required by such Collector according to the true intent and meaning of the said last mentioned Act; and if the said A.B., his heirs, executors or administrators shall indemnify and keep and save harmless the Government his successors and assigns of and from all loss and losses, damage and damages which has or have happened or accrued to, or been sustained by him, the Government or which may or shall happen or accrue to, or be at any time or times sustained by him, the Government his successors or assigns by, from or through, or by the means of the neglect, default, insolvency or misconduct of him the said A.B., his executors or administrators or agents or his or their executors or administrators, not fully accounting for and paying to the Government his successors or assigns, what may be justly due and owing to him by the said A.B. as vendor of stamps as aforesaid, or through or by means of the neglect, misconduct, omission or insolvency of the said A.B., as such vendor of stamps, as aforesaid; and also shall well and truly pay or cause to be paid into the hands of the Collector for the time being or to such other officer or person as the Government shall from time to time direct or appoint any penalties, forfeitures, dues or other sums of money which now have been, or shall, or may be at any time hereafter incurred, or any penalties which may become payable by the said A.B., as such vendor of stamps, under or by virtue or by reason of the rules, or by any of them, or by any such future Rule or Act, Rules or Acts as shall hereafter be in that behalf passed in due form of law, relating to the said duties of vendors of stamps when and so often as all or any such penalties, forfeitures, dues and other sum or sums of money shall be so incurred or become payable by the said A.B. then this obligation to be void and of no effect, but otherwise to be and remain in full force and virtue.

And it is further declared that no indulgence, extension of time, forebearance or other concession shown to the principal debtor whether with or without the consent of the sureties, shall in any way affect the liabilities of the sureties, or release them from all or any of their obligations under this bond.

And we further declare that this bond is executed under the orders of the Government for the performance of an act in which the public are interested.

Signed, sealed and delivered at

In our presence

(Signed) A.B.
C.D.
E.F.

SCHEDULE C

(*See Rule* 18)

Form of Register

Date	Description of stamps	Value of stamps	Name of purchaser	Residence of purchaser
(1)	(2)	(3)	(4)	(5)

The 18th May 1966

Adhesive Stamps to be used for Denoting Court-Fees amounting to less than Rs. 25 and Impressed Stamps for Denoting Court-Fee amounting to or exceeding Rs. 25.

No. FD/F.III/2-44/3443/66—In exercise of the powers conferred by section 26 of the Court-Fees Act, 1870 (VII of 1870) the Lieutenant Governor of Goa, Daman

and Diu is pleased to issue the following directions in regard to the stamps used to denote the fees chargeable under the said Act, namely:—

1. When in any case the fee chargeable under the said Act is less than Rs. 25, such fee shall be denoted by adhesive stamp bearing the words "Court Fees".
2. When in case the fee chargeable under the said Act amounts to or exceeds Rs. 25, such fee shall be denoted by impressed stamps bearing the words "Court-Fees" adhesive stamps being only employed to make up fraction of less than Rs. 25.
3. If in any case the amount of the fee chargeable under the said Act involves a sum less than seven paise, it shall be remitted.
4. These rules shall come into force on the 1st day of June, 1966.

Rules for Regulating the Number of Stamps to be used for Denoting Court-Fees.

No. FD/F.III/2-44/A/3443/66—In exercise of the powers conferred by section 27(b) of the Court-Fees Act, 1870 (VII of 1870) the Lieutenant Governor of Goa, Daman and Diu is pleased to make the following rules for regulating the number of stamps to be used for denoting any fee chargeable under the said Act, namely:—

1. When in the case of fees amounting to less than Rs. 25, the amount can be denoted by a single adhesive stamp, such fee shall be denoted by a single adhesive stamp of the required value. But if the amount cannot be denoted by a single adhesive stamp or if a single adhesive stamp of the required value is not available the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional adhesive stamps of the next lower value, which may be required to make up the exact amount of the fee.
2. When in the case of fees amounting to or exceeding Rs. 25, the amount can be denoted by a single impressed stamp, the fee shall be denoted by a single impressed stamp of the required value. But if the amount cannot be denoted by a single impressed stamp, or if a single impressed stamp of the required value is not available an impressed stamp of the next lower value available shall be used, and the deficiency shall be made up by the use of one or more additional impressed stamps of the next lower value available which may be required to make up the exact amount of the fee in combination with the adhesive stamps to make up fractions of less than Rs. 25.
3. Any adhesive stamp which may be used under rule 2, shall be affixed to the impressed stamp of the highest value employed in denoting the fee.
4. When two or more impressed stamps are used to make up the amount of the fee chargeable under the Court-fees Act, a portion of the subject matter shall ordinarily be written on each stamped sheet. Where this is impracticable or seriously inconvenient, the document shall be written on one or more sheets bearing impressed stamps of the highest value, and the remaining stamps shall be punched and cancelled by the court and filed with the record, a certificate being recorded by the court on the face of the first sheet of the document to the effect that the full court-fee has been paid in stamps. The writing on each stamped sheet shall be attested by the signature of the person executing the document.
5. These rules shall come into force on the 1st day of June 1966.

Rules Regulating the Renewal of Damaged or Spoiled Court-Fee Stamps

No. FD/F.III/2-44/B/3443/66—In exercise of the powers conferred by clause (c) of section 27 of the Court-fees Act, 1870 (VII of 1870), the Lieutenant Governor of Goa, Daman and Diu is pleased to make the following rules regulating the renewal of damaged or spoiled court-fee stamps, namely:—

1. A court-fee stamp shall be deemed to be damaged or spoiled if—
 (a) by an accident happening to the same it is rendered spoiled and unfit for use;
 (b) because of some error in the drawing or copying of any writing upon it, or to which it is affixed, the writing is rendered of no avail;
 (c) by reason of death or from any other cause, a transaction which is intended to be effected by a writing duly stamped with the proper fee is not completed and the writing becomes of no avail;
 (d) the transaction intended by such writing to be effected has been effected by some other instrument on which the proper fee has been paid;
 (e) from any error or informality in the drawing up or in the signing of any writing on which the proper court-fee stamp has been duly affixed and cancelled by any officer of any Judicial or Magisterial Court, or any public officer duly appointed to perform the same, the writing is returned or rejected by the Court or public office to which it was sent or addressed, and the stamp has thereby become unfit for use.

 Explanation.—When an impressed stamp and an adhesive stamp are used in combination in accordance with any rules for the time being in force and either of them is damaged or spoiled in any manner specified in this rule, the other stamp may also, at the option of the applicant, be deemed to have been damaged or spoiled.
2. An application for the renewal of damaged, or spoiled court-fee stamps shall be made to the Collector of Stamps, Panjim.
3. Any person desiring to have any stamp, which has been damaged or spoiled, renewed may make an application for the purpose to the officer specified in rule 2. Such application shall be made within six months from the date on which such stamp was damaged or spoiled. On receipt of such application, the officer shall, if satisfied that the stamp has been damaged or spoiled, cancel such stamp and supply to the applicant at his option in lieu thereof one or more stamps equal in aggregate value to the damaged or spoiled stamps.
4. Notwithstanding anything contained in rule 3 the Collector may, for any special reasons, entertain any application for the renewal of any damaged or spoiled stamp within one year from the date on which such stamp was damaged or spoiled.
5. The officer, to whom an application is made under rule 3 or 4, may require the applicant to make an oral deposition on oath or affirmation, or to file an affidavit, setting forth the circumstances under which the claim has arisen, and may also, if such officer thinks fit, call for the evidence of any witness in support of the statement set forth in any such deposition or affidavit.
6. When on application for the renewal of any damaged or spoiled stamp an order is passed sanctioning the renewal or calling for further evidence in support of the application, then if the stamp given in lieu thereof is not taken, or if such further evidence is not furnished, by the applicant within one year from the date of such order, the application shall be struck off.
7. All damaged or spoiled stamps cancelled under rule 3, or in respect of which further evidence is not furnished as required under rule 6, shall be forwarded for destruction to the Superintendent of Stamps, Panjim.
8. These rules shall not apply to stamps used in the High Court.
9. These rules shall come into force on 1st of June 1966.

The 19th May 1966

No. FD/F.III/2-36/part/66—In partial modification of Government Notification No. FD/F.III/2-36/part/3804/66, dated 26th April 1966, the Government hereby direct that the date of enforcement of the said Notification shall be 1st of June 1966 instead of 1st of May 1966 as indicated therein.

By order and in the name of the Administrator of Goa, Daman & Diu.

V. S. SRINIVASAGOPALAN
Dy. Secretary (Finance)

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